

B1 encoding said biologically active lipid hydrolyzing protein or polypeptide, and expressing said DNA sequence in said cells to produce said biologically active lipid hydrolyzing protein or polypeptide, wherein said cells harboring said vector secrete said biologically active lipid hydrolyzing protein or polypeptide which is taken up by other cells deficient in said lipid hydrolyzing protein or polypeptide.

Please amend Claim 58 to read as follows:

B2 58. (Amended) The method of claim 51 wherein the vector is a viral vector.

Please amend Claim 60 to read as follows:

60. (Amended) The method of claim 51 wherein the vector is a plasmid.

B3 { Please amend Claim 61 to read as follows: }

61. (Amended) The method of claim 51 wherein the vector is a lipid vesicle.

REMARKS/ARGUMENTS

Claims 51, 58, 60, and 61 have been amended and Claims 52, 56, and 57 have been canceled without prejudice. Claims 1-51, 53-55, and 58-68 remain in this application. This amendment more clearly defines the present invention and has not been done to avoid cited art. No new matter has been added. Applicants respectfully request entry of this amendment and that all the claims remaining in this application be duly allowed.

Rejections under 35 U.S.C. § 102

1) Claims 51, 53, 54, 56, 58, and 59 are rejected under 35 U.S.C. § 102(b) as being anticipated by Rader, et al. (FASEB J. vol. 10, 1996, page A233).

The Examiner alleges that Rader, et al. teaches a method for providing biologically active lysosomal acid lipase (LAL), or mixtures thereof, to cells of a human having a deficiency in LAL comprising the administration into cells, an adenoviral vector containing and expressing a DNA sequence encoding LAL and the DNA sequence being expressed in the cells to produce LAL.

Applicants contend that the present invention relates to a method comprising the administration into cells of a mammal, deficient in biologically active lipid hydrolyzing protein or polypeptide, a vector containing and expressing a DNA sequence encoding a biologically active lipid hydrolyzing protein or polypeptide, the cells harboring the vector expressing the DNA sequence to produce the lipid hydrolyzing protein or polypeptide, and the cells secreting the lipid hydrolyzing protein or polypeptide which is taken up by other cells deficient in the lipid hydrolyzing protein or polypeptide.

As the Examiner is aware, in order for a reference to anticipate a claimed invention, the reference must teach each and every limitation of the claimed invention. Applicants contend that Rader, et al. does not teach the secretion of the lipid hydrolyzing protein or polypeptide by the vector harboring cells or the taking up of the secreted lipid hydrolyzing protein or polypeptide by other cells deficient in the lipid hydrolyzing protein or polypeptide.